ROACH, BROWN, McCARTHY & GRUBER, P.C.

MAY - 8 2006

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Kevin D McCarthy 10/728,498 - Our Ref: 0-03-151 RE:

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Patent 0-03-151

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:

Flick et al.

Serial no.:

10/728,498

Filed:

December 5, 2003

Title:

Vibrational and Pulsating Cushion Device

Examiner:

N/A

Art Unit:

N/A

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir/Madam:

Information Disclosure Statement

Applicant submits the enclosed information disclosure statement that is being filed prior to the first office action and the international search report which was mailed within 3 months of this submission. Accordingly, it is applicant's opinion that the examiner at the U.S. Patent and Trademark Office should consider these references in determining the patentability of this application.

If Applicant becomes aware of other relevant references that are not cumulative of the submitted references, Applicant will submit them.

Respectfully submitte

Kevin D. McCarthy

Reg. No. 35,278

Roach, Brown, McCarthy & Gruber, P.C. 1620 Liberty Building - 420 Main Street Buffalo, New York 14202

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PTO/SB/08A (07-05)

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Substitute for form 1449/PTO	Application Number	10/728,498	
	Filing Date	December 5, 2003	
INFORMATION DISCLOSURE	First Named Inventor	Flick et al.	
STATEMENT BY APPLICANT	Art Unit	N/A	
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of 2	Attorney Docket Number	0-03-051	

			U. S. PATENT	DOCUMENTS	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Examiner Initials*	Cite No.	Document Number Number-Kind Code ^{2 (* Insure)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Cotumns, Lines, Where Relevant Passages or Relevant Figures Appear
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	-	^{US-} 6396224	05-28-2002	Luff	
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Substitute for form 1449/PTO		Application Number	10/728,498			
INF	INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Filing Date	December 5, 2003		
STA			First Named Inventor	Flick et al.		
			Art Unit	N/A		
(Use as many sheets as necessary)		Examiner Name	N/A			
Sheet	2	of	2	Attorney Docket Number	0-03-151	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, senal, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	₹2
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